

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

REBECCA BYBEE

Plaintiff

v.

THE PROCTER & GAMBLE COMPANY, ET AL.

Defendants

Case No. C-1-01-623

Judge Weber

Magistrate Judge Hogan

RE- NOTICE OF DEPOSITION

Please take notice that the Plaintiff, Rebecca Bybee, by and through counsel, will take the deposition of the following named person at the place and time indicated below. Said deposition shall be filed and read as evidence on behalf of the Plaintiff in this proceeding, or for any other purpose under the Rules of Civil Procedure, and shall continue to be taken day to day until completed. This deposition will be stenographically recorded.

DEPONENT:	Gerald Domis
ADDRESS:	Dinsmore & Shohl, LLP 1900 Chemed Center 255 East Fifth Street Cincinnati, OH 45202
DATE:	August 25, 2004
TIME:	10:30 a.m.

Deponent shall bring with him the following documents:

1. All information in the possession of the Procter and Gamble Company regarding the creation of ERISA plans, plan documents, summary plan descriptions, employee handbooks,

and any other documents relating to the creation of the ERISA plan relevant to Plaintiff's claims;

2. All procedures for creating the ERISA plans relevant to Plaintiff's claims;

3. All drafts, copies and/or other documents, electronic or otherwise, related to the ERISA plans relevant to Plaintiff's claims;

4. All policies of insurance pertaining to ERISA plans upon which a decision to deny Plaintiff's claims may be based;

5. All information pertaining to any decision to adopt the handbook (the document bates stamped PD00000001 to PD0000131) as the official Plan documents by the Procter and Gamble Company, including but not limited to, board resolutions and/or other formal decisions by the board of directors, managers, officers, directors, managing agents or other persons.

Respectfully submitted,

/s/ Carl E. Grayson
Carl E. Grayson (0067904)
Sutton, Hicks, Lucas, Grayson & Braden, PLC
130 Dudley Road, Suite 250
Edgewood, Kentucky 41017
(859) 331-8883

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed, postage pre-paid, on this the 3rd day of August, 2004, to Jennifer M. Orr, Esq., DINSMORE & SHOHL LLP, 1900 Chemed Center, 255 East Fifth Street, Cincinnati, OH 45202, (513) 977-8200.

/s/ Carl E. Grayson
Carl. E. Grayson